

NORTH COUNTY FIRE PROTECTION DISTRICT

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August 21, 2008

Richard M. Jones, Project Director
Orange Grove Energy, L.P.
J-Power USA Development, LTD
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173

Dear Mr. Jones:

This letter is provided to respond to questions concerning fire protection for the Orange Grove project, a proposed power plant on State Highway 76, east of our jurisdiction and west of the Pala reservation. You asked that we respond to the following specific data requests from the California Energy Commission:

A letter of intent or equivalent from the fire chief indicating that the NCFPD will respond to medical emergencies for the life of the project and has the staff and equipment necessary to properly respond.

As we discussed during your recent visit to my office, the San Diego County Office of Emergency Medical Services awards exclusive operating area (EOA) franchises for the provision of ambulance service. This project site is within the EMS EOA awarded to the Valley Center Fire Protection District. Under current conditions, they are legally responsible for emergency medical services and the requested commitment to respond to medical emergencies will need to come from VCFPD.

A letter from the NCFPD describing the potential impacts from the increased demand for services to existing resources and infrastructure, and the fiscal impact of imposing additional fire protection responsibility to the project site.

In an effort to estimate the potential impacts of the proposed project, NCFPD has contacted other fire agencies in San Diego County with similar power plants and inquired as to the impact of the projects. As you are probably aware, these types of projects have a minimal impact on local emergency services, probably due to the automated nature of the operation combined with sophisticated monitoring, alarm, and fire suppression systems. The potential impact is another issue and can only be estimated. Based on initial investigation, NCFPD believes that the costs of extending service to the project will be covered by the annexation fees, mitigation fees and property taxes that will be paid by the project.

Please provide a detailed statement that off-site fire, EMS, and spill response to the project site will be provided, identify the fire department that will respond, and the date it has agreed to provide these services. Include a letter from the Fire Department Chief or Fire Marshall indicating that the department is willing and able to respond to emergencies and has the staff and equipment necessary to properly respond.



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The project is located in unincorporated San Diego County, in a portion of the county which is not within the boundaries of any fire protection agency. However, it is within the LAFCO-approved sphere of influence for the North County Fire Protection District. Before the NCFPD would provide fire protection for the project, Orange Grove would need to seek to be annexed into the District and agree to comply with the associated terms and conditions that might be applied by LAFCO. To date, no such application has been made (although we have engaged in initial discussions), the NCFPD Board of Directors has taken no position on a potential annexation and San Diego LAFCO has taken no position on such a potential annexation.

Assuming that the project is annexed to NCFPD, NCFPD would be the fire department that would respond to the project site, under several conditions:

1. The NCFPD Fire Prevention Bureau will need to review and approve the project plans for compliance with relevant codes and ordinances. To date, our Fire Marshal has not had the opportunity to see any of the plans for the project. Our future provision of service will be dependent on our approval of the project design and construction.
2. Annexation will likely include a set of LAFCO-imposed terms and conditions. Orange Grove will be required to remain in compliance with those terms and conditions in perpetuity.

The date on which NCFPD agrees to provide the service will be the effective date of the approval of the annexation by LAFCO.

Concerning whether or not NCFPD has the staffing and equipment to respond, the NCFPD is staffed and equipped in accordance with current fire protection standards. We will be unable to make a determination about any special needs that may be required until we receive, review and fully understand the fire detection and suppression systems that will be in place on the project. Specifically concerning any, potential hazardous materials incidents that might arise on site, the NCFPD would provide initial response, while final mitigation is handled by the San Diego County Department of Environmental Health and the County's Hazardous Incident Response Team (HIRT).

Please feel free to contact me if Orange Grove or the California Energy Commission requires any additional information concerning fire protection for this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'William R. Metcalf', is written over a horizontal line.

William R. Metcalf
Fire Chief/Chief Executive Officer